

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

INNOVATIVE GLOBAL SYSTEMS LLC,

Plaintiff,

vs.

VOLVO CONSTRUCTION EQUIPMENT
NORTH AMERICA, INC., et al.,

Defendants.

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CIVIL ACTION NO. 6:10-cv-00327

JURY TRIAL DEMANDED

**STIPULATION OF DISMISSAL AS TO
DEFENDANT TOPCON TIERRA**

IT IS HEREBY STIPULATED and AGREED by and between Plaintiff INNOVATIVE GLOBAL SYSTEMS LLC (“Plaintiff”) and Defendant TOPCON TIERRA (“Defendant”), and by their attorneys, that pursuant to Fed.R.Civ.P. 41(a)(1)(A)(ii) Plaintiff’s and Defendant’s claims and counterclaims against each other in the above-captioned action be, and they hereby are, dismissed with prejudice.

Plaintiff has not released, and nothing in this Stipulation shall be construed as a release or discharge of, any claim Plaintiff has or may have in the future against any other Defendant named in this action or any other asserted infringer of the patent-in-suit. All such rights have been, and are, expressly reserved.

Each party shall bear its own costs and attorneys’ fees.

Respectfully submitted,

/s/ Eugene M. Paige (by permission, MTC)

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**ATTORNEYS FOR PLAINTIFF
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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of February, 2011 I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Michael T. Cooke